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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV619645622US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 20, 2005

Signature:

  
(Andrea Silverman)Docket No.: AREX-P01-015  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Eng *et al.*

Application No.: 10/510,361

Filed: October 5, 2004

For: BINDING AGENTS AND THEIR USE IN  
TARGETING TUMOR CELLS

Confirmation No.: 6278

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

COMMUNICATION IN RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35 U.S.C. § 371

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A Notification of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US) was mailed April 22, 2005. A copy of the Notice is attached as Exhibit A. The Notice sets a deadline of two months for filing a response. Therefore, a response is due June 22, 2005. Accordingly, this Communication is being timely filed.

The Notice states that an oath or declaration is missing. In response, Applicants respectfully submit as Exhibit B an executed Combined Declaration and Power of Attorney.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in

Application No.: 10/510,361

Docket No.: AREX-P01-015

this application by this firm) to our Deposit Account No. 18-1945, under Order No. AREX-P01-015. A duplicate copy of this paper is enclosed.

Dated: June 20, 2005

Respectfully submitted,

By   
Gloria Fuentes

Registration No.: 47,580  
ROPES & GRAY LLP  
One International Place  
Boston, Massachusetts 02110-2624  
(617) 951-7000  
(617) 951-7050 (Fax)  
Attorneys/Agents For Applicant

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UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO

20 JUN 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/510,361	FIRST NAMED APPLICANT Hubert Eng	ATTY. DOCKET NO. AREX-P01-015
INTERNATIONAL APPLICATION NO. PCT/US03/11457		
LA. FILING DATE 04/11/2003	PRIORITY DATE 04/11/2002	

28120  
 FISH & NEAVE IP GROUP  
 ROPES & GRAY LLP  
 ONE INTERNATIONAL PLACE  
 BOSTON, MA 02110-2624

CONFIRMATION NO. 6278  
 371 FORMALITIES LETTER



\*OC000000015820694\*

Date Mailed: 04/22/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/05/2004
- Copy of the International Search Report filed on 10/05/2004
- Copy of IPE Report filed on 10/05/2004
- Preliminary Amendments filed on 10/05/2004
- Information Disclosure Statements filed on 01/07/2005
- Small Entity Statement filed on 10/05/2004
- U.S. Basic National Fees filed on 10/05/2004
- Priority Documents filed on 10/05/2004

**Ropes & Gray**

Symbol #: AREX-P01-015

Action Due: Oath/Decl. Fee

Deadline(s): 22 Jun 2005 / 22 Nov 2005

JB

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

**Ropes & Gray**

APR 25 2005

Intellectual Property Dept.

"Scanned K?"

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,361	PCT/US03/11457	AREX-P01-015

10 510361  
Rec'd PCT/PTO 20 JUN 2005

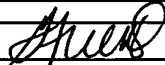
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PTO/SB/17 (12-04v2)  
Approved for use through 7/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b> Application Number 10/510,361 Filing Date October 5, 2004 First Named Inventor Hubert Eng Examiner Name Not Yet Assigned Art Unit N/A Attorney Docket No. AREX-P01-015	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 65.00			

<b>METHOD OF PAYMENT</b> (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account    Deposit Account Number: 18-1945    Deposit Account Name: Ropes & Gray LLP	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
<b>Fee Description</b>							<b>Small Entity Fee (\$)</b>
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (including Reissues)							200
Multiple dependent claims							360
<b>Total Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>		<b>Fee (\$)</b>
_____		_____	_____	_____	_____		_____
<b>Indep. Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>		<b>Fee (\$)</b>
_____		_____	_____	_____	_____		_____
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>		<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>		<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	
_____		_____	_____		_____	_____	
<b>4. OTHER FEE(S)</b>							
Non-English Specification, \$130 fee (no small entity discount)							<b>Fees Paid (\$)</b>
Other (e.g., late filing surcharge): 2051 Surcharge-Late oath or declaration							65.00

<b>SUBMITTED BY</b>			
Signature 	Registration No. (Attorney/Agent) 47,580	Telephone (617) 951-7000	
Name (Print/Type) Gloria Fuentes		Date June 20, 2005	

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Dated: June 20, 2005	Signature:  (Andrea Silverman)

11:07 AM  
6/20/2005  
AREX P01-0153104753.1  
06/24/2005 09:01:00 00000094 181945 10510361  
01 FC:2617 65.00 DA